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CRL O.P. No.19372 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.09.2024

CORAM

The Hon`ble Mr.Justice P.DHANABAL

CRL OP.No.19372 of 2024

A. Abdul Gaffar

.... Petitioner

Vs.

Union of India

Represented by Senior Intelligence Officer,
NCB, Chennai Zonal Unit,
Chennai – 77.

(NCB.F.No. 48/1/16/2024/NCB/MDS)

... Respondent

PRAYER:- The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in NCB.F.No. 48/1/16/2024/NCB/MDS on the file of the respondent police.

For Petitioner : Mr. R.Naresh Kumar

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor for NCB cases

ORDER

The petitioner/Accused A2, who was arrested on 20.06.2024 and remanded to judicial custody on 22.06.2024 for the offences punishable



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under sections 8(c) r/w 22(c), 28, 29 of N.D.P.S Act in NCB.F.No. 48/1/16/2024/NCB/MDS on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner with other accused persons were found in illegal possession of white crystal substances believed to be Amphetamine. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. The learned counsel appearing for the petitioner further submits that contraband was not recovered from the petitioner. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner and also he submitted the judgment of Hon'ble Supreme Court in ***Union of India Through Narcotics Control Bureau vs. MD. Nawaz Khan reported in (2021)10 SCC 100.***



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4. The learned Government Advocate (Criminal Side) would submit that the petitioner was remanded on 22.06.2024 with illegal possession of white crystal substances believed to be Amphetamine, which is coming under commercial quantity. Hence, he objected to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions putforth on either side and considering the fact that the quantity of material involved in this case is commercial quantity and also other co-accused also still in custody and also considering the gravity of offences involved in this case, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.

04.09.2024

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
nsl



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P.DHANABAL,J

nsI

To

1. The Judicial Magistrate Court, Ambattur.
2. The Senior Intelligence Officer,
Union of India
NCB, Chennai Zonal Unit,
Chennai – 77.
3. Central Prison, Puzhal.
4. The Government Advocate (Crl.Side), High Court, Madras.

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